

**MAINE EMS  
INVESTIGATIONS COMMITTEE MEETING  
TUESDAY APRIL 1, 2008  
DE CHAMPLAIN CONFERENCE ROOM, AUGUSTA  
RATIFIED BY THE MAINE EMS BOARD ON MAY 7, 2008  
MEETING MINUTES**

Present: Rick Doughty, Paul Knowlton, Robert Hand, Roy Woods, Steve Leach

Staff: Dawn Kinney and Alan Leo,

AAG: Melissa O'Dea

**1. Call To Order:** The meeting was called to order at 9:30 a.m.

**A. Additions to the Agenda – None**

**2. Complaint/Investigation Cases 07-19, 07-24 and 07-43.**

The committee entered executive session for the purpose of reviewing investigation and discussing cases 07-19, 07-24 and 07-43.

***Motion: To enter executive session pursuant to 32 M.R.S.A. §90(A), §92(3) and 1 M.R.S.A. §405(6)(E)(F) for receiving legal advice and the purpose of discussing cases 07-19, 07-24 and 07-43. (Doughty; Knowlton – motion carries).***

The committee entered executive session at 9:30 a.m. and exited at 10:10 a.m.

During executive session, the committee reviewed the status of the investigations and discussed options for disposition of cases 07-19, 07-24 and 07-43.

***Motion: In case 07-19, The Committee directs staff to contact Licensee's counselor to obtain a curriculum vitae and upon staff approval, to allow counselor to evaluate Licensee to determine whether Licensee needs any additional counseling or a Batterers Intervention Program per Licensee's Consent Agreement. (Leach; Knowlton – motion carries).***

***Motion: In case 07-24, The Committee directs staff to contact Licensee's counselor to obtain a curriculum vitae and upon staff approval, to have counselor perform a Fitness For Duty evaluation within 60 – 120 days and that the Licensee will be responsible for the expense of the evaluation. (Woods; Knowlton – motion carries).***

***Motion: In case 07-43: The Committee finds that Licensee violated Maine EMS Rules (dated September 1, 2006) Chapter 11 § (1)(4) Any criminal conviction, subject to the limitations of Maine statute and Chapter 11 § (1)(5) Acting in ways that are dangerous or injurious to the licensee or other persons. The Committee finds that the violations are based on Licensee's 2007 conviction for Operating Under the Influence (Class D) in violation of 29-A M.R.S.A. §2411 (1-A)(A)). The Committee finds that this violation did not warrant disciplinary action, and to issue a Letter of Guidance to be kept on file for five***

***years. The Committee considers this investigation 07-43 resolved and closed upon issuance of the Letter of Guidance. (Woods; Knowlton – motion carries).***

### 3. Informal Conference

#### A. Case #07-45

***Motion: To enter executive session pursuant to 32 M.R.S.A. §90(A)(3), §92(3) and 1 M.R.S.A. §405(6)(F)(E) for receiving legal advice and for the purpose of conducting an informal conference concerning case #07-45. (Doughty; Knowlton – motion carries).***

The committee entered executive session at 11:10 a.m. and exited at 12:05 pm.

During executive sessions, the committee met with Licensee and discussed options for disposition of case 07-45.

***Motion: In case 07-45, The Committee finds that Licensee violated Maine EMS Rules (dated September 1, 2006) Chapter 11 § (1)(4) Any criminal conviction, subject to the limitations of Maine statute and Chapter 11 § (1)(14) Violation of any standard established in the profession. The Committee finds that the violations are based on Licensee October 2007 conviction for Theft of Public Money (Misdemeanor), in violation of 18 U.S. C. § 641. The Committee found mitigating circumstances in; Licensee was forthright and accepted responsibility; Licensee was remorseful; Licensee notified the EMS office prior to receiving Notice of Complaint, and Licensee submitted multiple references. In consideration of the mitigating circumstances, the Committee found that the Licensee was sufficiently rehabilitated to warrant the public trust, and did not warrant disciplinary action. The Committee will resolve case #07-45 with a Letter of Guidance to be kept on file for five years. The Committee considers this investigation 07-45 resolved and closed upon issuance of the Letter of Guidance. (Leach; Knowlton – motion carries).***

#### B. Case 07-49

***Motion: To enter executive session pursuant to 32 M.R.S.A. §90(A)(3), §92(3) and 1 M.R.S.A. §405(6)(F)(E) for receiving legal advice and for the purpose of conducting an informal conference concerning case #07-49. (Doughty; Knowlton – motion carries).***

The committee entered executive session at 12:10 pm. and exited at 12:25 pm.

During executive sessions, the committee waited for 15 minutes and Licensee did not show for the informal conference. The committee then discussed options for disposition of case 07-49.

***Motion: In case 07-49, the Committee directed staff to send a letter to Licensee that the investigation is terminated due to Licensee's failure to respond to the Notice of Complaint and Notice of Informal Conference and the investigation will be reopened if Licensee should have employment with a MEMS service; reapply for another Maine EMS license or if MEMS receives a verification on licensure from another state.. This notice will remain on file indefinitely. (Leach; Roy – motion carries).***

#### 4. Applications

##### A. Michael Conway – Informal Review

***Motion: The Committee finds that Applicant violated Maine EMS Rules (dated September 1, 2006) Chapter 11 § (1)(4) Any criminal conviction, subject to the limitations of Maine statute; Chapter 11 § (1)(5) Acting in ways that are dangerous or injurious to the licensee or other persons; Chapter 11 § (1)(14) Violation of any standard established in the profession. The Committee finds that the violations are based on Applicant's convictions in New Hampshire for Driving while Intoxicated in August of 2005 and Operating After Suspension in June 2006. The Committee found aggravating circumstances in that there were two convictions within 10 months. The Committee found mitigating circumstances in that the Applicant took responsibility with the Committee, with his MEMS Ambulance Service, and the Maine Department of Motor Vehicle, and the Applicant submitted several letters of recommendation. In consideration of the mitigating circumstances, the Committee directs staff to issue license with a Letter of Guidance to be kept on file for five years. (Leach; Woods – motion carries).***

#### 5. Next Meeting

The next meeting is scheduled for Wednesday June 4, 2008 at 9:00 a.m.

#### 6. Adjourn

Adjourn – The meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Dawn Kinney, EMT-P  
Licensing Agent